STATEMENT OF DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST IN CONTRACT OR PURCHASE INVOLVING BALL STATE UNIVERSITY

Name and address of	public servant:	(I ()	(F: ()	(M:111)
		(Last)	(First)	(Middle)
(Street Address)	(City)		(State)	(Zip)
Ball State University	position:		1	If involves dependent of public servant, name and relationship of dependent see instruction 2 on other side)
	C. 35-44-1-3, I hereby put following contract or J			or may have a pecuniary interest in or all State University:
Name and address of	seller or contractor:			
Description of contract	ct or purchase			
Title and edi	ldress of publisher:			ght date:
Name of co-				
Description of my peo	cuniary interest in contra	ct or purchas	se:	
(Check if applicable) [Ball State Universi described above wi regular basis			
I affirm under the pen	alties for perjury, that th	e foregoing	representation	s are true.
Date:	Signature:		(Pa	ublic Servant)
			(Departm	ent Chair/College Dean)
attached letter are foll		the public s		ure. If the procedures outlined in the t be involved improperly in obtaining
Date		Iniversity Of	ficer	
	ive any obligation to any			g held on, 20 This ute, rule or regulation and is not to be
	_ P	resident Ba	Il State Unive	rsity Board of Trustees

Conflict of Interest Instructions and Form

INSTRUCTIONS

- 1. This form is intended to meet the requirements for disclosure of a pecuniary (financial) interest under Indiana's Conflicts of Interest Law, I.C. 35-44-1-3, as amended. Public servants can avoid violating that law by making a disclosure of their pecuniary interests in contracts or purchases made by the governmental entity which they serve, provided that the disclosure is submitted to the entity prior to final action on the contract or purchase and complies with I.C. 35-44-1-3(d) or (i).
- 2. **DEFINITIONS**: A public servant has a "PECUNIARY INTEREST" in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant who (a) is under the direct or indirect administrative control of the public servant, or (b) receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the public servant. "Dependent" means any of the following: (1) the spouse of a public servant; (2) a child, stepchild or adoptee of a public servant who is unemancipated and less than 18 years of age; or (3) any individual more than one-half of whose support during a year is provided by the public servant. The following interests should also be disclosed: that of an owner or partner of a proprietorship, firm, partnership, or association; or that of a shareholder, director, trustee or officer of a corporation, whether for profit or not for profit. An employment relationship need not be discussed unless the employee shares directly or indirectly in the revenues or profits of his/her employer.

A "PUBLIC SERVANT" is defined in I.C. 35-41-1-24 as a person who:

- (1) Is authorized to perform an official function on behalf of, and is paid by, a governmental entity;
- (2) Is elected or appointed to office to discharge a public duty for a governmental entity; or
- (3) With or without compensation, is appointed in writing by a public official to act in an advisory capacity to a governmental entity concerning a contract or purchase to be made by the entity.

According to an Opinion issued by the Attorney General of Indiana, all of the University's trustees, officers and employees are considered to be "public servants" as that term is used in I.C. 35-44-1-3. Therefore, such persons should follow the statutory procedures for disclosing any pecuniary interest that they may have in a contract or purchase made by the University (other than their contracts of employment with the University).

- 3. In cases where a state supported college or university makes contracts or purchases of a particular type on a regular basis from a particular vendor, a public servant who has a pecuniary interest in such contracts or purchases is only required to file a disclosure statement on an annual basis.
- 4. Criminal liability cannot be imposed on account of a conflict of interest in the following situations, even though no disclosure is made:
 - (a) Where the contract or purchase involves utility services from a utility whose rate structure is regulated by the state or federal government;
 - (b) Where the public servant's interest in the contract or purchase an all other contracts and purchases made by the governmental entity during the 12 months before the date of the contract or purchase was \$250 or less;
 - (c) Where the public servant acts only in an advisory capacity for a state supported college or university and does not have authority to act on behalf of the college or university in a matter involving a contract or purchase.

NOTICE: It is the responsibility of each public servant – not the University or its representatives – to determine whether he/she is required to make a disclosure under the Conflicts of Interest Law and, if he/she determines that such a disclosure is necessary, to make it in a timely and proper manner. Violation of this law is a Class D felony, punishable by imprisonment for $1\frac{1}{2}$ years and a fine of not more than \$10,000.

Employee Disclosure Forms should be sent to the Office of the Vice President for Business Affairs and Treasurer for consideration and action by the Board of Trustees.